

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WILLIAM H. WYNN, *Individually and as
Administrator of the Estate of Isaac
Cornealious Wynn a/k/a Isaac C. Wynn,*
and WAYMAN WYNN,

MEMORANDUM & ORDER
23-CV-5071 (EK) (SJB)

Plaintiffs,

-against-

HOUSEHOLD FINANCE REALTY CORPORATION
OF NEW YORK,

Defendant.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Bulsara's Report and Recommendation (R&R) dated August 21, 2024. ECF No. 6. Judge Bulsara recommends that this action be dismissed without prejudice under Federal Rule of Civil Procedure 4(m), because Plaintiffs failed to serve Defendant within ninety days of filing the complaint and never justified their failure to effect timely service. Neither party has filed objections and the time to do so has expired. Accordingly, the Court reviews Judge Bulsara's recommendation for clear error on the face of the record. See Fed. R. Civ. P. 72(b) advisory committee's note to 1983 addition; accord *State Farm Mut. Auto. Ins. Co. v. Grafman*, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013).

Having reviewed the record, I find no error and therefore adopt the R&R in its entirety. Thus, the complaint is dismissed without prejudice. The Clerk of Court is respectfully directed to enter judgment and close the case.

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: October 3, 2024
 Brooklyn, New York